

PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>Application Number</b>	08/984,979		
	<b>Filing Date</b>	December 4, 1997	
	<b>First Named Inventor</b>	Thomas M. BAER	
	<b>Group Art Unit</b>	2877	
	<b>Examiner Name</b>	T. Nguyen	
<b>Total Number Of Pages In This Submission</b>	14 PAGES + 82 REFERENCES	<b>Attorney Docket No.</b>	485772000400

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form + duplicate for fee processing - 2 pages	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1. Form PTO-1449 + copy - 8 pages
<input checked="" type="checkbox"/> Supplemental Information Disclosure Statement - 3 pages	<input type="checkbox"/> Request for Refund	2. Eighty-two (82) References
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	3. Return Receipt Postcard
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

<b>Firm or Individual Name</b>	Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018
<b>Signature</b>	Rimas T. Lukas, Reg. No. 46,451
<b>Date</b>	January 16, 2002

**CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on January 16, 2002.

Aurelia Caparas

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# FEE TRANSMITTAL FOR FY 2002

Patent fees are subject to annual revision.

## Complete if Known

Application Number 08/984,979

Filing Date December 4, 1997

First Named Inventor Thomas M. BAER

Examiner Name T. Nguyen

Group Art Unit 2877

Attorney Docket No. 485772000400

TOTAL AMOUNT OF PAYMENT

(\$180.00)

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

03-1952

Deposit  
Account  
Name

Morrison &amp; Foerster LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$0)

## 2. EXTRA CLAIM FEES

	Total Claims	73** =	Extra Claims	x	Fee from below	=	Fee Paid
	73	- 73** =	0	x	9	=	\$ 0
Independent Claims	10	- 10** =	0	x	42	=	\$ 0
Multiple Dependent					140	=	\$ 0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claims, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0)

\*\* or number previously paid, if greater; For reissues, see above.

## FEE CALCULATION (continued)

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	180.00
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$180.00)

## SUBMITTED BY

Name (Print/Type)

Rimas T. Lukas

Registration No.  
(Attorney/Agent)

46,451

## Complete (if applicable)

Telephone

(650) 813-5905

Signature

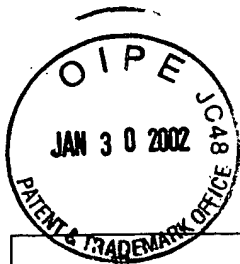
Date

January 16, 2002

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pa-659281



PATENT  
Docket No. 485772000400

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Assistant Commissioner for Patents, Washington, D.C. 20231, on January 16, 2002.

  
Aurelia Caparas

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Thomas M. BAER et al.

Serial No.: 08/984,979

Filing Date: December 4, 1997

For: CONSUMABLE FOR LASER  
CAPTURE MICRODISSECTION

Examiner: T. Nguyen

Group Art Unit: 2877

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \* is enclosed.
  - ☒ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee. Accordingly, a Petition requesting consideration of the Information Disclosure Statement, an authorization to charge our deposit account, and a Certification under 37 C.F.R. § 1.97(e) are provided herein.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for

any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 485772000400. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

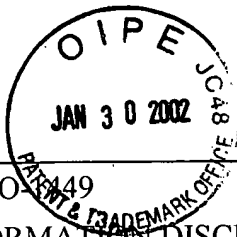
Dated: January 16, 2002

Respectfully submitted,

By: 

Rimas T. Lukas  
Registration No. 46,451

Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
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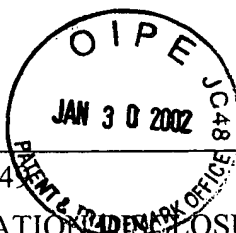


Form PTO/SB/08 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number 485772000400	Application Number 08/984,979
	Applicant Thomas M. BAER et al.	
	Filing Date December 4, 1997	Group Art Unit 2877
	Mailing Date January 16, 2002	

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	09/17/1974	3,836,231	Cole, Jr.			
	2.	02/17/1976	3,939,019	Pickett			
	3.	12/20/1977	4,064,205	Landsman			
	4.	03/21/1978	4,080,476	Laskey			
	5.	04/17/1979	4,149,803	Litz			
	6.	05/27/1980	4,205,059	von Hagens			
	7.	01/13/1981	4,245,003	Oransky et al.			
	8.	11/24/1981	4,302,480	Fischer et al.			
	9.	03/16/1982	4,320,157	Von Hagens			
	10.	08/28/1984	4,467,915	Snyder et al.			
	11.	02/05/1985	4,497,792	Gindler			
	12.	05/13/1986	4,588,579	Bachhuber et al.			
	13.	05/13/1986	4,588,674	Stewart et al.			
	14.	05/10/1988	4,743,463	Ronn et al.			
	15.	06/21/1988	4,752,455	Mayer			
	16.	07/12/1988	4,756,922	Motoyama et al.			
	17.	11/15/1988	4,784,873	Kienecker et al.			
	18.	06/13/1989	4,839,194	Malluche et al.			
	19.	01/23/1990	4,895,735	Cook			
	20.	03/06/1990	4,906,494	Babinec et al.			
	21.	03/27/1990	4,911,782	Brown			
	22.	01/22/1991	4,987,006	Williams et al.			
	23.	06/11/1991	5,023,187	Koebler et al.			
	24.	07/21/1992	5,132,129	Potter et al.			
	25.	10/27/1992	5,158,895	Ashihara et al.			
	26.	03/09/1993	5,192,503	McGrath et al.			

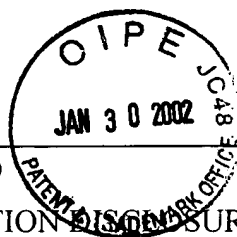
EXAMINER:	DATE CONSIDERED:
EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.	



Form PTO-1449 <b>INFORMATIONAL CLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	Docket Number 485772000400	Application Number 08/984,979
	Applicant Thomas M. BAER et al.	
	Filing Date December 4, 1997	Group Art Unit 2877
	Mailing Date January 16, 2002	

	27.	06/08/1993	5,217,768	Walters et al.			
	28.	06/22/1993	5,221,698	Amidon et al.			
	29.	03/08/1994	5,292,559	Joyce, Jr. et al.			
	30.	04/05/1994	5,300,540	Masters			
	31.	09/13/1994	5,346,765	Maeda et al.			
	32.	09/20/1994	5,349,436	Fisch			
	33.	02/21/1995	5,391,329	Dougherty et al.			
	34.	05/16/1995	5,416,131	Wolff et al.			
	35.	01/23/1996	5,486,335	Wilding et al.			
	36.	02/20/1996	5,492,837	Naser-Kolahzadeh et al.			
	37.	02/27/1996	5,493,861	Friedrichsen			
	38.	02/27/1996	5,494,646	Seymour			
	39.	05/07/1996	5,513,768	Smith			
	40.	06/25/1996	5,529,841	Neihof			
	41.	07/02/1996	5,531,997	Cochrum			
	42.	11/12/1996	5,574,077	Dougherty et al.			
	43.	12/03/1996	5,580,612	Hickel et al.			
	44.	06/17/1997	5,639,428	Cottingham			
	45.	10/07/1997	5,674,328	Mannava et al.			
	46.	11/11/1997	5,686,313	Sitte et al.			
	47.	05/26/1998	5,756,049	Brayton			
	48.	06/09/1998	5,763,191	Knoll et al.			
	49.	07/28/1998	5,786,022	Agarwal et al.			
	50.	09/22/1998	5,812,312	Lorincz			
	51.	12/01/1998	5,843,657	Liotta et al.			
	52.	01/12/1999	5,859,699	Baer et al.			
	53.	01/19/1999	5,860,937	Cohen			
	54.	06/15/1999	5,912,134	Shartle			
	55.	11/16/1999	5,985,085	Baer et al.			
	56.	12/05/2000	6,157,446	Baer et al.			

EXAMINER:	DATE CONSIDERED:
EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.	



Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number 485772000400	Application Number 08/984,979
	Applicant Thomas M. BAER et al.	
	Filing Date December 4, 1997	Group Art Unit 2877
	Mailing Date January 16, 2002	

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation	
							YES	NO
	57.	02/11/1971	19 38 943	Germany				
	58.	05/23/1973	1 317 803	Great Britain				
	59.	06/22/1983	0 081 976 A1, B1	Europe				
	60.	01/23/1991	0 409 550 A1	Europe				
	61.	11/16/1995	WO 95/30919 A1	WIPO				
	62.	05/30/1996	WO 96/16517 A1	WIPO				
	63.	12/19/1996	WO 96/40435 A1	WIPO				
	64.	04/17/1997	WO 97/13838 A1	WIPO				
	65.	08/14/1997	WO 97/29354 A1	WIPO			Abstract	
	66.	08/13/1998	WO 98/35215 A1	WIPO				
	67.	08/20/1998	WO 98/36261 A1	WIPO				
	68.	02/25/1999	WO 99/09390 A1	WIPO				
	69.	04/08/1999	WO 99/17094 A2	WIPO				
	70.	02/03/2000	WO 00/05587 A2, A3	WIPO				
	71.	11/09/2000	WO 00/66994 A2	WIPO				

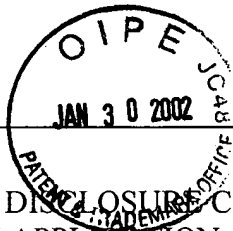
## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	72.	Anonymous. (September 22, 1995). "Lazer Hazards," Section II, Chapter 6 <i>In OSHA Technical Manual</i> . United States Department of Labor Occupational Safety and Health Administration, pp. 6-1-6-40.
	73.	Berns et al. (April 1998). "Laser Scissors and Tweezers," <i>Scientific America</i> , pp. 62-67.
	74.	Böhm, M. et al. (July 1997). "Non-Contact Laser Microdissection of Membrane-Mounted Native Tissue," <i>Amer. J. of Pathol.</i> 151(1):63-67.

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Form PTO-1449 <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	Docket Number 485772000400	Application Number 08/984,979
	Applicant Thomas M. BAER et al.	
	Filing Date December 4, 1997	Group Art Unit 2877
	Mailing Date January 16, 2002	

75.	Burgemeister et al. (March 13, 1998). "Laser Microdissection and Laser Pressure Catapulting: Genetic Analysis of Single Cells After Laser Microbeam Separation: Trophoblastic Cells from Cervical Mucus and Fetal Erythroblasts from Maternal Blood," <i>P.A.L.M. Mikrolaser Technologies Workshop</i> , Abstract (1 page total).
76.	Cremer, M. et al. (March 25-28, 1998). "Collection of Individual Chromosomes and Nuclear Segments by Laser Microdissection and Laser Pressure Catapulting," <i>P.A.L.M. Mikrolaser Technologies Workshop</i> , Abstract (1 page total).
77.	Isenberg, G. et al. (May 1976). "Cell Surgery by Laser Micro-Dissection: A Preperative Method," <i>Microscopy</i> 107(1):19-24.
78.	Pontén, F. et al. (1997). "Genomic Analysis of Single Cells from Human Basal Cell Cancer Using Laser-Assisted Capture Microscopy," <i>Mutation Res. Genomics</i> 382:45-55.
79.	Schütze et al. (1997). "Cut out or Poke in-The Key to the World of Single Genes: Laser Micromanipulation as a Valuable Tool on the Look-Out for the Origin of Disease," <i>Genetic Analysis: Biomolecular Engineering</i> 14:1-8.
80.	Schütze, L. and Lahr, G. (May 1998). "Laser Microdissection and Laser Catapulting: A Key-Technique for Single Cell Based Gene Analysis," <i>BIOforum Int'l.</i> :177-180.
81.	Simone, N.L. et al. (July 1998). "Laser-Capture Microdissection: Opening the Microscopic Frontier to Molecular Analysis," <i>TIG</i> 14(7):272-276.
82.	Thalhammer, S. et al. (January 1997). "Laser Microdissection of Metaphase Chromosomes and Characterization by Atomic Force Microscopy," <i>J. Biomedical Optics</i> 2(1):115-119.

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INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)



Docket Number 485772000400

Application Number 08/984,979

Applicant

Thomas M. BAER et al.

Filing Date December 4, 1997

Group Art Unit 2877

Mailing Date January 16, 2002

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	06/08/1982	4,333,983	Allen			
	2.	11/25/1986	4,624,915	Schindler et al.			
	3.	12/16/1986	4,629,687	Schindler et al.			
	4.	08/04/1987	4,684,781	Frish et al.			
	5.	09/04/1990	4,954,715	Zöld			
	6.	01/22/1991	4,987,006	Williams et al.			
	7.	05/21/1991	5,017,428	Mecke et al.			
	8.	09/01/1992	5,143,552	Moriyama			
	9.	04/13/1993	5,202,230	Kamentsky			
	10.	07/06/1993	5,225,326	Bresser et al.			
	11.	03/22/1994	5,296,291	Mueller			
	12.	03/22/1994	5,296,963	Murakami et al.			
	13.	01/03/1995	5,378,675	Takeyama et al.			
	14.	02/20/1996	5,492,861	Opower			
	15.	07/02/1996	5,532,128	Eggers et al.			
	16.	07/30/1996	5,541,064	Bacus et al.			
	17.	09/17/1996	5,556,790	Pettit			
	18.	11/26/1996	5,578,832	Trulson et al.			
	19.	05/20/1997	5,631,734	Stern et al.			
	20.	09/09/1997	5,665,582	Kausch et al.			
	21.	01/13/1998	5,707,801	Bresser et al.			
	22.	03/03/1998	5,723,290	Eberwine et al.			
	23.	03/17/1998	5,728,527	Singer et al.			
	24.	05/12/1998	5,751,839	Drocourt et al.			
	25.	06/02/1998	5,759,781	Ward et al.			
	26.	10/06/1998	5,817,462	Garini et al.			

EXAMINER:

DATE CONSIDERED:

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Form PTO-1449

Docket Number 485772000400

Application Number 08/984,979

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

Applicant

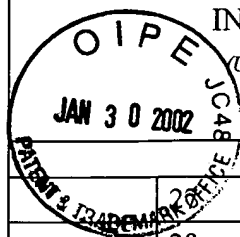
Thomas M. BAER et al.

Filing Date December 4, 1997

Group Art Unit 2877

Mailing Date January 16, 2002

(Use several sheets if necessary)



		12/01/1998	5,843,644	Liotta et al.			
	28.	01/04/2000	6,010,888	Liotta et al.			
	29.	08/08/2000	6,100,051	Goldstein et al.			
	30.	02/06/2001	6,184,973 B1	Baer et al.			
	31.	03/20/2001	6,204,030 B1	Liotta et al.			
	32.	04/10/2001	6,215,550 B1	Baer et al.			
	33.	06/26/2001	6,251,467 B1	Liotta et al.			
	34.	06/26/2001	6,251,516 B1	Bonner et al.			
	35.	08/21/2001	6,277,648 B1	Colpan			
	36.	02/14/1997	USSN 08/800,882	Baer et al.			
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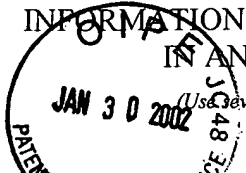
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Form PTO-1449 <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> (Use several sheets if necessary) 	Docket Number 485772000400	Application Number 08/984,979
	Applicant Thomas M. BAER et al.	
	Filing Date December 4, 1997	Group Art Unit 2877
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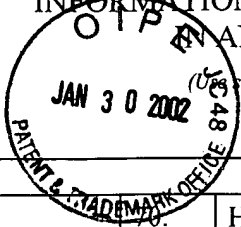
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INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary) 		Applicant Thomas M. BAER et al.	
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ATTORNEY DOCKET: 485772000400

SERIAL NO.: 08/984,979

FILING DATE: December 4, 1997

INVENTOR(S): Thomas M. BAER et al.

TITLE: CONSUMABLE FOR LASER CAPTURE MICRODISSECTION

MAILING DATE: January 16, 2002  
ATTY/Secy: RTL1/kab4/aac3

Papers enclosed herewith:

1. Transmittal Form (1 page)
2. Fee Transmittal + duplicate for fee processing (2 pages)
3. Information Disclosure Statement (3 pages)
4. Form PTO 1449 in duplicate (8 pages)
5. Eighty-two (82) References



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